



08-22-03 61

RCE/1036\$

PTO/SB/30 (10/01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provided for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/701,014
Filing Date	November 22, 2000
First Named Inventor	Mitrphanous, et al.
Group Art Unit	1636
Examiner Name	D. Guzo
Attorney Docket Number	674523-2023

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under CFR 1.114.

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on ____
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____
- iii. ☐ Other ____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other references by Certo, et al., Mammano et al., Christodouloupoulos et al. and Mochizuki et al.

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of ____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
- b. ☐ Other ____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge any additional fees, or credit any overpayments, to
Deposit Account No. 50-0320.
- b. ☒ Checks in the amount of \$375.00 and \$205.00 are enclosed for the following:
- i. ☒ RCE fee required under 37 CFR 1.17(e) 08/25/2003 MBIZUNES 00000034 09701014 01 FC:2801 375.00 OP
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other ____
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Thomas J. Kowalski	Registration No. (Attorney/Agent)	32,147
Signature	<i>Thomas J. Kowalski</i>	Date	August 20, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service (Mailing Label No. EV 28723745 US) under 37 CFR 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)	Barnett Shindelman	Date	August 20, 2003
Signature	<i>Barnett Shindelman</i>		

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PATENT
674523-2023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Mitraphanous, et al.
U.S. Serial No. : 09/701,014
Filing Date : November 22, 2000
For : RETROVIRAL DELIVERY SYSTEM
Examiner : D. Guzo
Art Unit : 1636

745 Fifth Avenue
New York, NY 10151

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Barnet Shindlman
(Typed or printed name of person mailing paper or fee)

Barl G. Shindlman
(Signature of person mailing paper or fee)

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**AMENDMENT AND RESPONSE TO OFFICE ACTION
WITH REQUEST FOR EXTENSION OF TIME**

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Amendment accompanies a Request for Continued Examination, and is in response to the final Office Action dated March 20, 2003, and having a three month term for reply.

PETITION FOR EXTENSION OF TIME

Pursuant to 37 C.F.R. §1.136(a), a two-month extension of the period for reply, i.e., to up to and including August 20, 2003 is requested. A check for \$205.00 is enclosed in payment of the fee under 37 C.F.R. §1.17(a) for a small entity. The Commissioner is authorized to charge any additional required fee for this extension of time or any other fee occasioned by this paper, or credit any overpayment in such fees, to Deposit Account No. 50-0320.

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